

# Exhibit 6

1  
2 UNITED STATES DISTRICT COURT  
3 SOUTHERN DISTRICT OF NEW YORK

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NATIONAL RAILROAD PASSENGER CORPORATION,

5 Plaintiff,

6 -against-

7 ARCH SPECIALTY INSURANCE COMPANY, ET AL.,

8 Defendants.

9 14 Civ 7510 (JSR)  
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11 March 19, 2015

12 9:46 a.m.

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15 CONFIDENTIAL DEPOSITION of  
16 RAYMOND SANDIFORD, taken by Defendants,  
17 pursuant to Notice, held at the offices of  
18 ROPES & GRAY LLP, 1211 Avenue of the  
19 Americas, New York, New York before Wayne  
20 Hock, a Notary Public of the State of New  
21 York.  
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23  
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| <p style="text-align: right;">Page 210</p> <p>1 R. Sandiford -- CONFIDENTIAL</p> <p>2 A. Uh-huh.</p> <p>3 Q. It's not signed and it's not</p> <p>4 sealed.</p> <p>5 Do you know why that is?</p> <p>6 A. I don't.</p> <p>7 Q. When -- as an engineer, if you</p> <p>8 issue a report, do you normally sign it</p> <p>9 and seal it?</p> <p>10 MR. HEALY: Objection to form.</p> <p>11 A. If design work is involved, if</p> <p>12 design work is involved.</p> <p>13 Q. Does HNTB presently do any work</p> <p>14 for Amtrak?</p> <p>15 A. They do, yes.</p> <p>16 Q. What work is HNTB presently</p> <p>17 doing for Amtrak?</p> <p>18 A. Oh, boy, let's see. They're</p> <p>19 doing the high-speed adjustments on the</p> <p>20 Northeast Corridor, the Baltimore and</p> <p>21 Potomac -- project management consultant</p> <p>22 for the Baltimore and Potomac replacement</p> <p>23 tunnel. There's a number of projects. I</p> <p>24 don't know them all. But it's one of our</p> <p>25 larger clients.</p>          | <p style="text-align: right;">Page 212</p> <p>1 R. Sandiford -- CONFIDENTIAL</p> <p>2 for Amtrak to provide engineering services</p> <p>3 for the design of some or all of the work</p> <p>4 that is the subject of HNTB's</p> <p>5 September 18, 2014 report?</p> <p>6 MR. HEALY: Objection to form.</p> <p>7 Mischaracterization.</p> <p>8 A. Four engineering company teams</p> <p>9 or teams were selected to provide --</p> <p>10 submit proposals. We were one of them,</p> <p>11 yes.</p> <p>12 Q. And has HNTB's proposal been</p> <p>13 prepared and submitted to Amtrak?</p> <p>14 A. Yes.</p> <p>15 Q. And when was HNTB's proposal</p> <p>16 submitted to Amtrak?</p> <p>17 A. I think Monday afternoon.</p> <p>18 Q. Monday of this week?</p> <p>19 A. Of this week.</p> <p>20 Q. Did you work on that proposal?</p> <p>21 A. Yes.</p> <p>22 Q. And what is the subject matter</p> <p>23 of that proposal?</p> <p>24 MR. HEALY: Objection to form.</p> <p>25 A. Our qualifications to do the</p>                                   |
| <p style="text-align: right;">Page 211</p> <p>1 R. Sandiford -- CONFIDENTIAL</p> <p>2 Q. And when you describe Amtrak as</p> <p>3 one of HNTB's larger clients, can you just</p> <p>4 give me an estimate of out of the total</p> <p>5 work that HNTB does, can you just estimate</p> <p>6 for me the percentage that is done for</p> <p>7 Amtrak?</p> <p>8 MR. HEALY: Objection to form and</p> <p>9 relevancy.</p> <p>10 A. It's in the percentages, that's</p> <p>11 all.</p> <p>12 Q. Of the work that you do, the</p> <p>13 projects you work on, what is the</p> <p>14 percentage that Amtrak represents of the</p> <p>15 total projects that you work on?</p> <p>16 MR. HEALY: Objection to form and</p> <p>17 relevancy.</p> <p>18 A. Less than fifty percent.</p> <p>19 Q. Is it more than forty percent?</p> <p>20 A. I don't know.</p> <p>21 Q. Is it more than twenty-five</p> <p>22 percent?</p> <p>23 A. It's more than twenty-five</p> <p>24 percent, yes.</p> <p>25 Q. Did HNTB put together a proposal</p> | <p style="text-align: right;">Page 213</p> <p>1 R. Sandiford -- CONFIDENTIAL</p> <p>2 work.</p> <p>3 Q. Does it -- does the proposal</p> <p>4 contain a proposed price for the work?</p> <p>5 A. Yes.</p> <p>6 Q. What I'm trying to tie here is</p> <p>7 what is the work and what is the price?</p> <p>8 So I don't care which one we start with.</p> <p>9 What is the proposed price for</p> <p>10 the work that is contained in this</p> <p>11 proposal?</p> <p>12 MR. HEALY: Objection to form.</p> <p>13 A. I think that is, you know, they</p> <p>14 haven't made a selection yet so all these</p> <p>15 bids and prices are I would think</p> <p>16 confidential until the time they open the</p> <p>17 bids and make a selection.</p> <p>18 Q. Go ahead.</p> <p>19 A. I mean -- but you want a rough</p> <p>20 number?</p> <p>21 Q. Well, I want a number that's</p> <p>22 real. I don't want it so rough that it</p> <p>23 doesn't bear any relationship to reality.</p> <p>24 A. Okay.</p> <p>25 It's under six million and it's</p> |

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| <p style="text-align: right;">Page 214</p> <p>1 R. Sandiford -- CONFIDENTIAL</p> <p>2 more than five and a half million.</p> <p>3 Q. That's fair enough.</p> <p>4 And now here's the other piece</p> <p>5 that I need to understand to put this</p> <p>6 together.</p> <p>7 What services is HNTB proposing</p> <p>8 to provide to Amtrak in return for that</p> <p>9 amount of money, something between five</p> <p>10 and a half million dollars and \$6 million?</p> <p>11 MR. HEALY: Objection to form.</p> <p>12 A. That involves for the four</p> <p>13 tunnels portal to portal, complete design</p> <p>14 drawings to sixty percent for all the</p> <p>15 repairs that need to be done immediately</p> <p>16 and as well as ten and thirty percent</p> <p>17 designs for the replacement of the bench</p> <p>18 walls and the track for all four tunnels.</p> <p>19 And then there's a project management</p> <p>20 component as well.</p> <p>21 Q. Okay.</p> <p>22 And the four tunnels that we are</p> <p>23 talking about, are those NRT north, NRT</p> <p>24 south, ERT one, and ERT two?</p> <p>25 A. Yes.</p>  | <p style="text-align: right;">Page 216</p> <p>1 R. Sandiford -- CONFIDENTIAL</p> <p>2 a hundred.</p> <p>3 Q. Did you say that the proposal</p> <p>4 also includes a project management</p> <p>5 component?</p> <p>6 A. Yeah, yeah, to manage the</p> <p>7 project, yeah.</p> <p>8 Q. And to manage the project</p> <p>9 through what state of completion?</p> <p>10 A. To the sixty percent for the</p> <p>11 repair and the thirty percent through the</p> <p>12 duct bank replacement and the track work.</p> <p>13 Q. When you just referred to the</p> <p>14 duct bank replacement, are you referring</p> <p>15 to the bench walls?</p> <p>16 A. The bench walls.</p> <p>17 Q. What does the repair proposal or</p> <p>18 the repair design contemplate? What work</p> <p>19 does it contemplate?</p> <p>20 A. That's like sealing cracks and</p> <p>21 leaks, taking delaminations down,</p> <p>22 replacing those with concrete, patching,</p> <p>23 that kind of stuff. Oh, and the power</p> <p>24 washing of the tunnels.</p> <p>25 MR. FINAZZO: Okay.</p>   |
| <p style="text-align: right;">Page 215</p> <p>1 R. Sandiford -- CONFIDENTIAL</p> <p>2 Q. Does the proposal address at all</p> <p>3 the performance of any services relating</p> <p>4 to ERT three and four?</p> <p>5 A. None whatsoever.</p> <p>6 Q. When you describe the services</p> <p>7 as being ten percent and thirty percent</p> <p>8 designs for replacement of the bench walls</p> <p>9 and the track for all four tunnels, what</p> <p>10 does the ten percent and thirty percent</p> <p>11 mean? I don't have that clear in my head.</p> <p>12 A. Ten percent is what we call</p> <p>13 conceptual design so you would come up</p> <p>14 with typical sections through the tunnels</p> <p>15 at the sort of unique locations and</p> <p>16 develop that and then you submit that, you</p> <p>17 meet with the client to make sure that</p> <p>18 we're in agreement with all that, and then</p> <p>19 you go to thirty percent. Thirty percent</p> <p>20 would be the design drawings really portal</p> <p>21 to portal with the design taken to about</p> <p>22 thirty percent of the detail.</p> <p>23 Q. And then if you were doing a</p> <p>24 complete design, what's the next step?</p> <p>25 A. You would go sixty, ninety, and</p> | <p style="text-align: right;">Page 217</p> <p>1 R. Sandiford -- CONFIDENTIAL</p> <p>2 Mr. Sandiford, I don't have any</p> <p>3 further questions of you.</p> <p>4 Mr. Healy, I think we asked for</p> <p>5 the proposal, a copy of the proposal</p> <p>6 when it was submitted, when Mr. Munfah</p> <p>7 testified about the proposal at his</p> <p>8 deposition.</p> <p>9 MR. HEALY: It's been produced.</p> <p>10 MR. FINAZZO: It has been? Is</p> <p>11 that one of the things produced in the</p> <p>12 last document dump?</p> <p>13 MR. HEALY: Well, I don't know</p> <p>14 which one it was but it's been in the</p> <p>15 last few days but I don't know if it</p> <p>16 was late last week or early this week.</p> <p>17 MR. FINAZZO: We'll look for it.</p> <p>18 The only thing else we need to</p> <p>19 do partly on the record and we can do</p> <p>20 the rest off is you and I need to</p> <p>21 address the two issues, one Sandiford</p> <p>22 Exhibit 2 that is the document that</p> <p>23 you're taking a position is a</p> <p>24 privileged document, and the second is</p> <p>25 the redaction on whatever the other</p> |

55 (Pages 214 - 217)